

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

CHRISTOPHER L. TUCKER,)
vs.)
Plaintiff,)
CITY OF OKLAHOMA CITY, *et al.*,)
Defendants.)
Case No. CIV-11-922-D

ORDER

Currently pending before the Court are the Motion of Defendant City of Oklahoma City to Dismiss It From Plaintiff's Requests for Punitive Damages and State Law Claims [Doc. No. 12] and the Partial Motion to Dismiss of Defendants Bemo, Brown, Nelson, Cooper and Blumenthal [Doc. No. 16]. After these motions were filed, however, Plaintiff filed the First Amended Complaint [Doc. No. 19], which supersedes his prior pleading and renders it of no legal effect. *See Davis v. TXO Prod. Corp.* 929 F.2d 1515, 1517 (10th Cir. 1991); *see also Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007); *Miller v. Glanz*, 948 F.2d 1562, 1565 (10th Cir. 1991). Thus, all motions directed at the Complaint are moot.

IT IS THEREFORE ORDERED that Defendants' Motions [Doc. Nos. 12 and 16] are DENIED without prejudice to refiling, if appropriate, in response to the amended pleading.

IT IS SO ORDERED this 12th day of October, 2011.

Willy R. Rehbein

TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE